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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,331	08/14/2001	Yu-Sam Chang	9585-0069	8693
<div>73552 7590 01/15/2008</div> <div>Stolowitz Ford Cowger LLP</div> <div>621 SW Morrison St</div> <div>Suite 600</div> <div>Portland, OR 97205</div>				
<div>EXAMINER</div> <div>LEE, CHEUKFAN</div>				
<div>ART UNIT PAPER NUMBER</div> <div>2625</div>				
<div>MAIL DATE DELIVERY MODE</div> <div>01/15/2008 PAPER</div>				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/929,331

Applicant(s)

CHANG ET AL.

Examiner

Cheukfan Lee

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

1. Claims 1-3, 5, 16, and 17 are pending. Claim 1 is independent.
2. Applicant's arguments with respect to claims 1-3, 5 and 16 have been considered but are moot in view of the new ground(s) of rejection.
3. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

In claim 16, "The apparatus of claim 4" lacks antecedent basis since claim 4 has been canceled.

4. Claim 17 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 17 recites "a chart that is integrally molded into the document-loading panel". Support for this feature is not found anywhere in the specification.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3, 5, and 16, insofar as claim 16 is understood to depend on claim 1, are rejected under 35 U.S.C. 103(a) as being unpatentable over Motamed (U.S. Patent No. 6,327,047) in view of Matsumoto (U.S. Patent No. 6,147,339), both applied in the previous Office action.

Regarding claim 1, Motamed discloses an apparatus comprising a scanner housing assembly (240, Figs. 2a and 2b, col. 5, lines 9-25, col. 6, lines 2-14) having an integrally formed document-loading panel (210), wherein the scanning housing assembly (240) and integrally formed document-loading panel (210) comprise a transparent material (glass), and a document cover (230) coupled to the scanner housing assembly (240).

Motamed differs from the claimed invention in that the transparent material used to make document-loading panel is not acrylic but glass (col. 5, line 14, Fig. 2a).

Matsumoto discloses an image sensor module assembly having an integrally formed scanning window (18). The scanning window (18) is made of transparent material, acrylic (Fig. 1, col. 3, lines 62-66).

One of ordinary skill in the art would have realized that the transparent acrylic is a high-strength and transparent material (when formed with the proper thickness) strong enough to support a document in general and more durable compared to glass. It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the glass of Motamed with transparent acrylic material as taught by Matsumoto in order to provide a more durable document-loading panel.

Regarding claims 3 and 5, Motamed further discloses a chart (calibration target 200) coupled (adhered) to the document-loading panel (210) (Fig. 2A, col. 5, lines 13-25), or coupled to the inside of the document cover (Fig. 2B, col. 5, lines 26-45).

Regarding claim 16, the chart (200) of Motamed is formed on (adhered to) the document cover (Fig. 2B, col. 5, lines 26-45).

7. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ochi Masato (Japanese Publication No. 11-4319) in view of Matsumoto (U.S. Patent No. 6,147,339). Matsumoto was applied in the previous Office action. A machine English translation of Ochi is attached.

Regarding claim 1, Ochi discloses an apparatus (Fig. 5, refer to Fig. 2) comprising a scanner housing assembly (refer to Fig. 2) having an integrally formed document-loading panel (33 in Fig. 5) wherein the scanner housing assembly and integrally formed document-loading panel (33) comprise a transparent material, and a document cover (32) (refer to Fig. 2) coupled to the scanner housing assembly (paragraphs 0021-0023).

Ochi differs from the claimed invention in that the transparent material used to make the document-loading panel is not acrylic. Ochi discloses that the document-loading panel (the transparent plate) is usually glass (refer to paragraphs 0020, lines 4-5 and paragraph 0003, line 5).

Matsumoto discloses an image sensor module assembly having an integrally formed scanning window (18). The scanning window (18) is made of transparent material, acrylic (Fig. 1, col. 3, lines 62-66).

One of ordinary skill in the art would have realized that the transparent acrylic is a high-strength and transparent material (when formed with the proper thickness) strong enough to support a document in general and more durable compared to glass. It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the glass of Ochi with transparent acrylic material as taught by Matsumoto in order to provide a more durable document-loading panel.

Regarding claim 2, Ochi further discloses a chart (chart pattern 60) printed on the document-loading panel (33) (paragraph 0021-0023).

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Clifton (U.S. Patent No. 7,149,002)

Hass et al. (U.S. Patent No. 6,989,918)

Huang (U.S. Patent No. 6,678,077)

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
December 6, 2007